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Promotion and protection of human rights: Convention on the Rights of Persons with Disabilities

Report of the Third Committee*

Rapporteur: Ms. Tebatso Future **Baleseng** (Botswana)

I. Introduction

1. At its 3rd plenary meeting, on 21 September 2007, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-second session, under the item entitled "Promotion and protection of human rights", the sub-item entitled "Convention on the Rights of Persons with Disabilities" and to allocate it to the Third Committee.

2. The Third Committee held a general discussion on the sub-item jointly with sub-items 70 (b) and (c) at its 22nd to 33rd meetings, on 24 to 26 and 29 to 31 October 2007, and took action on sub-item (e) at its 39th and 48th meetings, on 8 and 19 November. An account of the Committee's consideration is contained in the relevant summary records (A/C.3/62/SR.22-33, 39 and 48).

3. At the 22nd meeting, on 24 October, an introductory statement was made by the Director of the Division for Social Policy and Development of the Department of Economic and Social Affairs (see A/C.3/62/SR.22).

4. For the documents before the Committee under this sub-item, see A/62/439.

II. Consideration of draft resolutions A/C.3/62/L.36 and Rev.1

5. At the 39th meeting, on 8 November, the representative of Mexico, on behalf of Antigua and Barbuda, Argentina, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, the Czech Republic, the Dominican Republic, Ecuador, El Salvador, Estonia, Finland, Germany, Honduras, Hungary, Iceland,

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Ireland, Israel, Italy, Japan, Jordan, Mexico, Moldova, Montenegro, the Netherlands, New Zealand, Panama, Poland, Portugal, Serbia, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Uruguay, introduced a draft resolution entitled "Convention on the Rights of Persons with Disabilities and its Optional Protocol" (A/C.3/62/L.36). Subsequently, Algeria, Angola, Armenia, Bolivia, Cameroon, Cape Verde, Chile, the Congo, Côte d'Ivoire, Croatia, France, Greece, Guatemala, Jamaica, Latvia, Liberia, Lithuania, Mauritius, Morocco, Namibia, Nicaragua, Nigeria, Paraguay, the Philippines, Romania, Senegal, Sierra Leone, South Africa, Tunisia, Turkey and Uganda joined in sponsoring the draft resolution, which read as follows:

"*The General Assembly*,

"*Recalling* its previous relevant resolutions, the most recent of which was resolution 61/106 of 13 December 2006, as well as relevant resolutions of the Commission for Social Development and the Commission on Human Rights,

"1. *Welcomes* the adoption of the Convention on the Rights of Persons with Disabilities and its Optional Protocol on 13 December 2006, and expresses the hope that they will enter into force at an early date;

"2. *Also welcomes* the fact that since the opening for signature of the Convention and Optional Protocol on 30 March 2007, one hundred eighteen States have already signed and seven States have ratified the Convention and sixty-seven States have signed and three States have ratified the Optional Protocol, and calls upon those States which have not yet done so to consider signing and ratifying the Convention and the Optional Protocol as a matter of priority;

"3. *Invites* the Secretary-General and the United Nations High Commissioner for Human Rights to intensify efforts to assist States to become parties to the Convention and its Optional Protocol, including through providing assistance with a view to achieving universal adherence;

"4. *Requests* the Secretary-General to provide the staff and facilities necessary to support the effective performance of the functions of the Conference of States Parties and also to foresee all the necessary requirements for the installation and functioning of the Committee established under the Convention and the Optional Protocol after the entry into force of the Convention, as well as for the dissemination of information on the Convention and the Optional Protocol;

"5. *Also requests* the Secretary-General to continue the progressive implementation of standards and guidelines for the accessibility of facilities and services of the United Nations system, taking into account relevant provisions of the Convention, in particular when undertaking renovations;

"6. *Requests* United Nations agencies and organizations, and invites intergovernmental and non-governmental organizations, to continue undertaking efforts to disseminate accessible information on the Convention and the Optional Protocol, to promote their understanding, to prepare for their entry into force and to assist States parties in implementing their provisions;

"7. *Requests* the Secretary-General to submit to the General Assembly at its sixty-third session a report on the status of the Convention and the Optional Protocol and the implementation of the present resolution."

6. At its 48th meeting, on 19 November, the Committee had before it a revised draft resolution (A/C.3/62/L.36/Rev.1), submitted by Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Botswana, Bulgaria, Cameroon, Canada, Cape Verde, Chile, Congo, Costa Rica, Côte d'Ivoire, Croatia, the Czech Republic, Denmark, the Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Latvia, Liberia, Lithuania, Luxembourg, Madagascar, Mauritius, Mexico, Moldova, Montenegro, Morocco, Namibia, the Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Paraguay, Peru, the Philippines, Poland, Portugal, the Republic of Korea, Romania, San Marino, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of). Subsequently, Barbados, Benin, Brazil, Cambodia, Chad, Colombia, the Comoros, Cyprus, the Gambia, Grenada, Guinea, Lebanon, Lesotho, Mali, Malta, Mauritania, the Sudan, Suriname, Swaziland, Thailand and the United Republic of Tanzania joined in sponsoring the revised draft resolution.

7. At the same meeting, the Secretary of the Committee read out a statement of the programme budget implications of the revised draft resolution (see A/C.3/62/SR.48).

8. At the same meeting, a statement was made by the representative of Australia (see A/C.3/62/SR.48).

9. Also at the 48th meeting, the Committee adopted draft resolution A/C.3/62/L.36/Rev.1, without a vote (see para. 10).

III. Recommendation of the Third Committee

10. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Convention on the Rights of Persons with Disabilities and its Optional Protocol

The General Assembly,

Recalling its previous relevant resolutions, the most recent of which was resolution 61/106 of 13 December 2006, as well as relevant resolutions of the Commission for Social Development and the Commission on Human Rights,

1. *Welcomes* the adoption of the Convention on the Rights of Persons with Disabilities[1] and its Optional Protocol[2] on 13 December 2006, and expresses the hope that they will enter into force at an early date;

2. *Also welcomes* the fact that since the opening for signature of the Convention and the Optional Protocol on 30 March 2007, one hundred and eighteen States have already signed and seven States have ratified the Convention and sixty-seven States have signed and three States have ratified the Optional Protocol, and calls upon those States which have not yet done so to consider signing and ratifying the Convention and the Optional Protocol as a matter of priority;

3. *Invites* the Secretary-General to intensify efforts to assist States to become parties to the Convention and its Optional Protocol, including through providing assistance with a view to achieving universal adherence;

4. *Requests* the Secretary-General to provide the staff and facilities necessary to support the effective performance of the functions of the Conference of States Parties and also to foresee all the necessary requirements for the installation and functioning of the Committee established under the Convention and the Optional Protocol after the entry into force of the Convention, as well as for the dissemination of information on the Convention and the Optional Protocol;

5. *Also requests* the Secretary-General to continue the progressive implementation of standards and guidelines for the accessibility of facilities and services of the United Nations system, taking into account relevant provisions of the Convention, in particular when undertaking renovations;

6. *Requests* United Nations agencies and organizations, and invites intergovernmental and non-governmental organizations, to continue undertaking efforts to disseminate accessible information on the Convention and the Optional Protocol, to promote their understanding, to prepare for their entry into force and to assist States parties in implementing their obligations under these instruments;

7. *Requests* the Secretary-General to submit to the General Assembly at its sixty-third session a report on the status of the Convention and the Optional Protocol and the implementation of the present resolution.

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[1] Resolution 61/106, annex I.

[2] Ibid., annex II.